



# COMMONWEALTH of VIRGINIA

## Office of the Governor

Doug Domenech  
Secretary of Natural Resources

December 15, 2011

Shawn Garvin  
Regional Administrator  
U.S. EPA Region 3  
1650 Arch Street (3PM52)  
Philadelphia, PA 19103-2029

Dear Mr. Garvin:

Enclosed is the Draft Phase II Watershed Implementation Plan for the Commonwealth of Virginia. This draft describes the process Virginia is using for Phase II planning which is ongoing and will culminate with the development of Virginia's final Phase II WIP in 2012. This draft recognizes that the strategies proposed in the Phase I WIP remain in force unless revised in the final Phase II WIP.

In an effort to maximize the time available for localities to develop information that will help craft the final WIP, this draft document does not contain the results of our local engagement efforts. The time frame provided by EPA to convey the model information related to the revised EPA planning targets to the localities was far too short for the PDCs and localities to develop strategies and gain endorsements from stakeholders and elected officials. As we have told our stakeholders and EPA, we expect to receive local strategies by February 1, 2012.

We are pleased to see EPA's commitment to correct the issues regarding the model's simulation of the nutrient reduction effect of nutrient management on agricultural lands as summarized on page 2 of your October 5 letter and the "Timeframe for Implementing Near, Medium and Long Term Action" document sent by Mr. DiPasquale on October 17, 2011. However, we feel it is imperative that the model anomalies affecting nutrient management plans (NMPs) be corrected before the Phase II WIPs are finalized. The jurisdictions and our local partners need to understand how NMPs will be credited in our Phase II Plan, and must be confident that the two year milestones and the WIP will be evaluated accurately. To this end and

in accordance with the above guidance, we have requested the approval of several interim BMPs, including efficiency based nutrient management for cropland, hay and pasture. We look forward to your prompt approval of these interim BMPs and their incorporation into the planning tools.

The Chesapeake Bay is a vital resource for the citizens of the Commonwealth and we will continue to implement our Phase I WIP. The actions we have taken to date, demonstrates our commitment to restoration through 2025. We will continue to work with stakeholders and with the public to ensure that our plan improves water quality in a manner that is sensible, fair and cost effective. It is our sincerest hope that EPA will provide the tools necessary to accurately assess our plans, so that our final Phase II WIP will provide accurate guidance to our federal, state and local partners on the best practices that will meet our restoration goals.

Sincerely,

A handwritten signature in dark ink, consisting of a large, stylized 'A' followed by a horizontal line extending to the right.

Anthony Moore  
Assistant Secretary for Chesapeake Bay Restoration

cc: Jeff Corbin, Senior Advisor to the Administrator for Chesapeake Bay